7364162/2023/VIG-VI-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - RWS&S - Verification of work "CPWS Scheme to Chindadagaruvu of Amalapuram (M), Bodasakurru of Allavaram (M) and Kunavaram & Bheemanapalli of Uppalaguptam (M), East Godavari District - Disciplinary proceedings against Sri M. Rajeswara Rao, the then Executive Engineer, RWS&S Division, Kakinada (Retired from service on 30.11.2020) under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of AP Revised Pension Rules, 1980- Article of charges - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.Rt.No.261. **Dated 09.05.2023.**

Read with:-

G.O.Ms.No.33, Panchayat Raj& Rural Development (Vig.VI) Dept., dt.09-05-2023.

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ORDER:-

In pursuance of the sanction accorded by the Government in the reference read above, under Sub-Clause (i) of clause (b) of Sub-Rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for initiating departmental proceedings against Sri M. Rajeswara Rao, the then Executive Engineer, RWS&S Division, Kakinada (now retired), it is considered necessary to hold an inquiry against the said Sri M. Rajeswara Rao, the then Executive Engineer (now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 for the lapses mentioned in the V&E Report.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed as Annexure-II and Annexure-III.

3. Sri M. Rajeswara Rao, the then Executive Engineer, RWS&S Division, Kakinada (Retired) is directed to submit written statement of his defence within (90) days of the receipt of this order.

4. Sri M. Rajeswara Rao, the then Executive Engineer, RWS&S Division, Kakinada (Retired) is informed that an inquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri M. Rajeswara Rao, the then Executive Engineer, RWS&S Division, Kakinada (Retired), is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of AP Revised Pension Rules, 1980 (in respect of retired officials) for the lapses mentioned in V&E Report or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

(Contd...Page 2)

6. Sri M. Rajeswara Rao, the then Executive Engineer, RWS&S Division, Kakinada (Retired from service on 30.11.2020), is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M. Rajeswara Rao, the then Executive Engineer RWS&S Division, Kakinada (Retired) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M. Rajeswara Rao, the then Executive Engineer,
RWS&S Division, Kakinada (Retired) through the Engineer-in-Chief,
RWS&S, Vijayawada.
The Engineer-in-Chief, RWS &S, Vijayawada (in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The G.A.(V&E) Department, Vijayawada.
The Accountant General (A&E), A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission.
SF/SCs.

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER

ANNEXURE- I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI M. RAJESWARA RAO, THE THEN EXECUTIVE ENGINEER (RETD), RWS&S DIVISION, KAKINADA OF EAST GODAVARI DISTRICT (PRESENTLY RETIRED FROM SERVICE ON 30.11.2020).

CHARGE :-

That Sri B. Rajeswara Rao, the then Executive Engineer (Retd.), RWS&S Division, Kakinada of East Godavari District has Executed the retaining wall without assessing the Safe Bearing Capacity of Soils in revised alignment around SS Tank for the work "CPWS Scheme to Chindadagaruvu of Amalapuram (M), Bodasakurru of Allavaram (M) and Kunavaram & Bheemanapalli of Uppalaguptam (M), East Godavari District" and check measured and made payment for the work of the subsided retaining wall portion.

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER

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ANNEXURE – II

STATEMENT OF THE IMPUTATION OF MISCONDUCT OR MIS-BEHAVIOUR IN SUPPORT OF EACH ARTICLE OF CHARGE FRAMED AGAINST SRI B. RAJESWARA RAO, THE THEN EXECUTIVE ENGINEER, RWS&S DIVISION. KAKINADA OF EAST GODAVARI DISTRICT (PRESENTLY RETIRED FROM SERVICE ON 30.11.2020).

BASIS :-

The Director General, (Vig & Enft), General Administration (Vigilance & Enforcement) Department, Vigilance Report No.07 (C.No.316/V&E/Engg/ 2014), dt.19.05.2022 has submitted a detailed report on the Confidential Probe on the Verification of work "CPWS Scheme to Chindadagaruvu of Amalapuram (M), Bodasakurru of Allavaram (M) and Kunavaram & Bheemanapalli of Uppalaguptam (M), East Godavari District". In his enquiry report the Director General (V&E) has reported to the Government that, 1) As per Clause 7.1 of IS 8009 (Part-I) 1976, it is required that a sufficient number of borings be taken up to indicate the limits of various underground strate and to furnish the location of the water table and water bearing strata. Generally, it will be sufficient, if two exploratory holes are located diagonally on opposite corners, unless the proposed structure is small, in which case one borehole at the centre may be sufficient. For large structures, additional boreholes may be driven suitably. But, it was observed that only one soil sample per each work was collected and tested for assessing the Safe Bearing Capacity of soil of SS Tank works of CPWS Scheme to Chindadagaruvu and CPWS Scheme to Kunavaram.

The defects were identified during the defect liability period of the work and the same should have been rectified by the agency as suggested by the Department. But the defects were not rectified by the agency as per the remedial measures suggested by the JNTU College of Engineering, Kakinada instead earthen bund was provided for a length of 56mts, which reduced the capacity of tank to an extent of 1176 cum and released the deposits 26.06.2019 without insisting for the rectification of defects. From this it is evident that Sri B. Rajeswara Rao, the then Executive Engineer (Retd.) violating Rule 20 of AP Civil Services (CC&A) Rules, 1991 and Rules 9 of AP Revised Pension Rules 1980 for his negligence and other lapses committed during the period of his service.

Hence the charge.

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharat
SECTION OFFICER

ANNEXURE – III

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI B. RAJESWARA RAO, THE THEN EXECUTIVE ENGINEER, RWS&S DIVISION, KAKINADA OF EAST GODAVARI DISTRICT (PRESENTLY RETIRED FROM SERVICE ON 30.11.2020).

1. From the Director General, G.A. (V&E) Department, Vigilance Report No.07 (C.No.316/V&E/Engg/2014), dt.19.05.2022.

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharathi
SECTION OFFICER

ANNEXURE- IV

LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGES ARE FRAMED AGAINST SRI B. RAJESWARA RAO, THE THEN EXECUTIVE ENGINEER, RWS&S DIVISION, KAKINADA OF EAST GODAVARI DISTRICT (PRESENTLY RETIRED FROM SERVICE ON 30.11.2020)

- NIL –

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharathi
SECTION OFFICER